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SUBJECT: EU PROGRESS REPORT ON AZERBAIJAN INTENTIONALLY
"SOFT" ON HUMAN RIGHTS

REF: A. BAKU 135
[1](#)B. BAKU 404

Classified By: Ambassador Anne E. Derse per 1.4 (b,d).

[1](#)1. (C) Summary: According to European diplomats, the European Commission's first report on Azerbaijan's implementation of the European Neighborhood Policy Action was intentionally "soft" on Azerbaijan's democracy and human rights record. EC Head of Delegation Alan Waddams chalked up the soft approach to a "massively" pro-Armenian bias among EC officials, while the French DCM said the EC intentionally softened its criticisms in hopes of ensuring greater progress in coming years. To this end, France as incoming EU President, seeks to begin a structured EU-Azerbaijan dialogue on democracy and human rights issues. European diplomats and independent Azerbaijani commentators believe the EC's relatively tougher stance on Azerbaijan's human rights record - in contrast to language in the EC's reports on Georgia and Armenia - will strengthen the GOAJ's belief that it is subjected to "double standards." Azerbaijan's relationship with the EU has been testy since the February Troika visit. End summary.

[1](#)2. (SBU) In April, the European Commission released its first report on Azerbaijan's implementation of the European Neighborhood Policy action plan. The report contains mild but balanced criticism of Azerbaijan's democracy and human rights record and also lauds the GOAJ for making significant progress in bringing many of Azerbaijan's laws - particularly in the economic and trade arena - into compliance with EU standards. However, the report notes that implementation of many of these laws has been lacking.

"Soft" Language on Democracy and Human Rights

[1](#)3. (C) European Commission Head of Delegation Alan Waddams told the Ambassador that he was pleased by the report's overall tone and assessment. He pointed to the report's statement that "there was limited tangible progress towards meeting the Action Plan objectives in democratic governance" and "the Azerbaijani government has not exploited the opportunities by the ENP Action Plan to carry out political and economic reforms" as a fair assessment of Azerbaijan's record. He also said that RELEX Commissioner Benita Ferrero-Waldner had personally softened that statement. Waddams bemoaned the lack of coordination among EC officials on South Caucasus policy, noting that the reports on Azerbaijan, Georgia and Armenia had been drafted separately, by different offices without coordination. The language on Azerbaijan's democracy and human rights record was

considerably harder than language contained in the parallel reports on Georgia and Armenia's EU action plans, despite realities on the ground. Asked why, he responded that EC officials are "massively pro-Armenian."

14. (C) French DCM Philippe Wieber (representing the Slovene EU Presidency) separately told us that the Commission had intentionally sought to include a positive spin on Azerbaijan's human rights record in the report. Wieber noted that this is just the first of five annual reports that will be produced over the Action Plan's five-year life span. By taking a somewhat "soft" approach in this first report, the EU hopes to encourage greater GOAJ progress on democratic reform in coming years.

EU Plans Structured Dialogue

15. (C) To that end, French Charge d'Affaires Jean-Yves Berthaud told the Ambassador that France, as EU President from July-December 2008, plans to support launch of an EU-Azerbaijan structured dialogue on human rights and democracy, under the auspices of the EU Action Plan. Berthaud said he would like the dialogue to also focus on corruption, as he did not think the issue could be separated from broader democracy and human rights issues. As an aside, he commented that he had never seen corruption like he sees in Azerbaijan noting that government officials seem almost "proud" of their corrupt activities. Berthaud emphasized that he does not want the new dialogue to be burdened by too much representation and hopes to engage an individual close to the presidential level.

EU-GOAJ Relations

16. (C) According to French DCM Wieber, the EU Action Plan report was received positively by Azerbaijani Deputy Foreign Minister Mahmud Mammadgulyev, who oversees Azerbaijan's relationship with the EU. Mammadgulyev also is receptive to French ideas for a new structured dialogue on human rights. However, Wieber noted that DFM Mammadgulyev's positive tone was not reflective of the GOAJ's overall relationship with the EU, which has been frosty since the Troika's February visit to Baku (ref a). Wieber said the GOAJ is still smarting over the European Commission's rejection of Azerbaijan's proposal to hold a head-of-state summit on energy issues, and that GOAJ's anti-EU (and specifically anti-French) feelings were strengthened by EU members' abstentions during the recent vote on Azerbaijan's UNGA resolution regarding Nagorno Karabakh and the Occupied Territories. (MFA First Territorial Department Director Rahman Mustafayev confirmed Wieber's assessment, telling us that the EU report is "nothing" and that the EU had demonstrated its true colors during the February troika visit.) Wieber, like Ambassador Waddams, fears the report's relatively stronger criticism of Azerbaijan's democratic record - in contrast to more positive statements about Georgia and Armenia's democratic records despite the reality on the ground - will worsen EU-GOAJ relations and lend further credence to GOAJ beliefs that Azerbaijan is subjected to "double standards" by the West with respect to democracy and human rights.

Limited Public Reaction to Report

17. (C) The EU report has received very little notice in the Azerbaijani press or among Azerbaijan's political analysts. Independent political commentator Ilgar Mammadov admitted that he hadn't read the full report, but only the "Background and Overall Assessment Summary." He did not believe that the content of thereport was particularly important and noted thathe would be much more critical of Azerbaijan's progress than the EU had been. According to Mammadov, it was more interesting to compare the report on Azerbaijan to the reports on Georgia and Armenia. While Azerbaijan is credited

with only "limited tangible process," Armenia and Georgia are both said to have made "progress," and in some areas "good progress." Mammadov stressed that this demonstrated the bias in the international community in favor of Armenia and Georgia over Azerbaijan. He was particularly critical that the report on Armenia did not contain harsher language, given the violent crackdown on protesters in the wake of the Armenian elections. He commented that Armenia seems to avoid criticism from the international community.

18. (C) Independent analyst Zardusht Alizade also had not read the full report, but criticized it as a soft and very polite evaluation of Azerbaijan's record. He said that the EU does not want to provoke Azerbaijan, particularly since it has only weak instruments to pressure the Azerbaijani Government. Zardusht claimed that the EU's weakness with regards to influencing Azerbaijan is exacerbated by the lack of a free press and the existence of a weak and ineffectual opposition.

Comment

19. (C) Following the EU Troika's February visit to Baku, GOAJ officials have repeatedly expressed their frustration over the EU relationship, particularly with respect to energy issues. The EU's criticism of Azerbaijan's human rights record - mild though it may be - will not help. The GOAJ increasingly believes that, in comparison with neighboring Georgia and Armenia, Azerbaijan is subjected to harsher standards on democracy and human rights by the West; it also is increasingly less willing to accept international policy prescriptions. We expect that the EU may face difficulties in seeking to establish the new structured dialogue on democracy and human rights, particularly given GOAJ ire over France's perceived role in "orchestrating" the Co-Chairs no vote on the UNGA resolution (ref b).

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